

{COMPLAINT}

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To: U.S. A FEDERAL COURT FOR
DISTRICT OF MASSACHUSETTS.

From: Luljeta Cingo
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DEFENDANT
MASSACHUSETTS PORT
AUTHORITY

I (Luljeta Cingo) got hired by Massport as a full time temporary employee in May 19 2008.
After 3 months August 12/08 I got the first extension until November 13/08, and November 5
I received the second extension until February 10/09.

- I (Luljeta Cingo) believe that I was refused for the permanent position and terminated from my employer because of my pregnancy.

-When I got hired Assistant manager Brenda Nocella told me that everything in the Psr department goes by date of hire Seniority because we had union and I had to pay union dues like everybody else (proof of payment is attached to this letter)

-The Bid number 9138 was posted on 06/10/2008 and I applied for it on 06/14/2008. The time limit to apply for this bid was from 06/10/2008-06/24/2008. (Proof of my application is attached to this letter). 5 other temporary employee were hired 2 months after me: Miguel Silva 7/7/2008; Sharon Bartolomeu 7/14/2008; Mal Gorazota Mulloney 7/14/2008; Bouazza Chaibi 7/14/2008; Iliana Gonzales 7/15/2008. They never had a chance to apply for this bid.

- Everything changed after September 30/08 when I told Maritza Sanchez (Supervisor) in her office, Berenda Nocella (assistant manager) and in a presence of Cindy Albano (admin. assistant) that I was pregnant. They congratulated me and asked for the due date. After that I asked Maritza Sanches for maternity uniforms. She said that will order it and the next day she told me they don't do it anymore and that was it. Even when I asked her for large used jacket she told me I would look fanny on it.
- October 23/ 2008 I was in my day off. The next day October 24 when I was ready to punch in I heard that four PSR's which came 2 months after me were promoted for the permanent position. I felt very bad and was trying to calm down because I was pregnant and thinking for my baby and what would happened with me later on. They took my seniority away but I never thought they would let me go at the end. No one was telling me what was going on even the supervisors or managers. The only person that I thought to ask was the union shop Stuart Tarry Maylor. The only answer that she gave me was that union couldn't do anything about that . I paid union dues every month and based on union agreement (LOCAL 25 TEEMSTERS) the company had to notify union before any action. They never did anything for me later on.
- Since that day October 24 I was sure that everything happened because of my pregnancy. I didn't do anything wrong. I was never out sick and never late. I did whatever they told me to do

and never complained about anything. At the same time hoping for the permanent position and afraid of losing my job. I didn't ask for any comfortable condition at work because I was afraid of losing it.

- At the beginning of November I was feeling really tight and my clothes was not fitting me anymore. November 5/2008 I received the second extension until February 10. I lost my hope for permanent position and still shivering and being afraid of losing my job. As a pregnant woman I was thinking everyday about unfairness that happened to me and what would happen later on. November 20 I couldn't wear the regular uniform anymore I bought a pair of pants and a large blouse with my money to feel comfortable. November 21/2008 Carmen Ferrera Mutzak was in the telephone room. She asked me if what I was wearing were my clothes. I answered ; Yes I bought them because I didn't feel good anymore. She continued; how come they didn't give you the maternity uniform because they did it for me 7 years ago when I was pregnant. At that moment Tarry Maylor Walked in. With my voice down I asked her. What is going on why nobody is telling me about the uniform? She advise me to go to Maritsa or Brad maybe they would pay for what I was wearing. I knew from union agreement that they paid for shoes and laundry but I never saw anything written about maternity uniform compensation. I met Maritsa in her office (November 21/08) . She saw the amount of money and said; Ok. We can pay this. I will give it to Brad to sign it. She never mentioned the amount of money that I could spend for maternity clothes and she never gave me something written. I spend the rest of my time there as a pregnant woman on two items and I was afraid to ask for more because she didn't give me any hope for more. In the section 7 page 32 (Union Book) : All employees are required to wear the uniform provided by the employer. The rest of the other clothes were provided by me. About January 2/2009 I saw the notice at the time clock : LADYS PICK UP THE UNIFORMS IN MARITSA OFFICE. When I walked in her office she told me that my uniform was held because of my pregnancy. Everyone that day was in new uniforms and I was wearing my simple clothes. That day I felt I was losing every hope .
- December 6/2008 I try to meet with Brad to talk about my maternity leave. He wasn't in his office and I told Maritza to let him know that I was looking to talk with him about that. In December 13/2008 I found Brad in his office. First he told me to talk with Maritsa or Brenda because he couldn't remember anything about maternity leave. When he saw that I insisted he took a book from his cabinet and said that based on M.G.L I had right of 8 weeks maternity leave. After that he told me to notify them two weeks before leaving for maternity time so we could sign the papers.
- January 6/2009 Brad walked out of the break room and I was trying to catch him. I told him that my last day of work would be January 23 because the ultrasound I did ,changed my due date. He said okay and walked out.
- Next day January 7/2009 while I was trying to relax in bed on my day of very stressed out and thinking what would happen to me ,the telephone rang. Was Brad Martin (P.S.R Manager) calling to let me know that I was laid off and my last date would be January 17/2009. I said okay, closed the phone and started to cry. After my days off I went back to work. I walked in Brads' office to ask him WHY? Why he didn't make me permanent at the first place and why he was letting me go now. He said that the other four people were made permanent because of their superior performance and the senior supervisors picked them because of that. When I asked him ;What did I do wrong? He told me; Nothing they were the best. My next question was; What about union? He said ; I don't deal with union, ask your shop Stuaris Tarry Maylor or Caroline. He offer me to sign the letter of termination. I refused saying that I wanted to talk with union and a legal counsel before. Very rude he told me; Go wherever you like do whatever

you want on January 17 I need you to return your badge and your keys. He walked outside very upset. I walked after him almost in tears. In terminal E I met Terry Maylor (union shop Stuart and I asked her What union could do. She told me that there was nothing I could do about it .I continued; But I am paying them dues like everyone else? I asked her for telephone numbers of union representatives or the head of union. She gave me the union representative number Phil Malet which was on vacation and I had to search online for the head of union. What I could do in the last minutes and in the last days of my pregnancy? I needed to rest at home but the pressure of the stress wouldn't let me. Afraid of loosing my child I was trying so hard to calm down. Even if it was winter I asked my husband to escorted me to the MCAD to file a Pregnancy Discrimination Complaint on January 14 /09. After 2 years (today 02/24/2011) decided to remove the case to Federal Court with hope that I will find justice. I Know that I don't have power ,but I think that the power of the law protect everyone equally.

- I am very disappointed because I was discriminated because of my pregnancy By PUBLIC REPRESENTATIVES management and as a result of this I am a mother without a regular job today,stressed out and worried about my future and my family.

- About the UNION (LOCAL 25)
- I am very disappointed because I was paying them like everyone else and they didn't show up when I needed them. I just want to know for what I paid this money.

LIST OF PROVES ATACHED TO THIS COMPLAINT.

_Prove of payment (Checks 40 hours and more per week).

-.Prove of union payment (union dues).

-Prove of candidate selection memorandum #2 BID 9138 was removed from 06/10/2008 to 10/10/2008 to cover the unlawful actions. The 4 above candidates never applied for this bid because they weren't hired yet(The real time of the bid 9138 was 06/10/2008 until 06/24/2008.)

-The person who signed the memorandum said he interviewed me on 10/10/08 . I want to state that I was never interviewed on that date and by this person.

-Prove of; Posting dates of bid 9138 06/10/2008 to 06/24/2008.

- Prove of PSR hiring stats 2008 and 2009.

-Prove of my application for bid 9138.

-Prove of Massachusetts Port Authority policy (leave for birth or adoption).

-Prove of union agreement (uniforms pg 32 sec 7).

- Prove of request for payment by union after I was laid off (4 months latter).

TO THE BEST OF MY KNOLIDGE ,EVERYTHING I WROTE IN THIS COMPLAINT IS TRUE. Regards, Luljeta Cingo.

REGARDS; Luljeta Cingo.